

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

CONTRACT NO: DCKA-2017-T-0034

CAPTION: Design and Construction Engineering Support Services for
Damage to Infrastructure: Kenilworth Ave (DC)-295 at
Lane Place NE – Emergency Repairs

PROPOSED CONTRACTORS: CH2M Hill

PROGRAM AGENCY: District Department of Transportation (DDOT)

AUTHORITY

D.C. Code § 2-354.04, 27 DCMR 1304, 1205.1, 1700 and 1701

FINDINGS

1. MINIMUM NEED:

The Government of the District of Columbia, Department of Transportation (“District”) has an immediate and continuing need for the Proposed Contractor to continue to provide construction support services, including supplemental design and Engineer-of-Record (“EOR”) services for Damage to Infrastructure: Kenilworth Ave (DC)-295 at Lane Place NE – Emergency Repairs. This project is a federal-aid highway project funded in part by the U.S. Department of Transportation, Federal Highway Administration, under Title 23 of the U.S. Code. The proposed period of performance is estimated at two hundred seventy- four (274) calendar days from Date of Award.

2. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price for this project is \$1,420,487.00.

3. FACTS JUSTIFYING SOLE SOURCE PROCUREMENT:

A. Following the catastrophic collapse of the Lane Place bridge on June 24, 2021, there is an immediate need for a consultant to provide design and construction engineering support services from 30% to final design/preparation of the Plans, Specifications & Estimates (PS&E) for its replacement. The Contractor, as Engineer of Record, recently completed preparation of contract bid documents and an engineer’s estimate for the almost identical

Douglas St. Pedestrian Bridge over Kenilworth Ave, NE, currently advertised for construction. The Contractor completed construction design services as the result of a Task Order competition awarded against the Contractor's DDOT Architectural Engineering Services ("A/E") contract. As the Design Engineer of the project, the Contractor becomes fully responsible for design of the subject project that will be constructed by the construction contractor.

B. During the construction phase, the District needs additional assistance from the design engineer including, for example, possible partial redesign because of construction impediments and EOR work in reviewing construction shop drawings, reviewing bid documents, responding to construction Requests for Information and other construction design and engineering-related matters.

C. As the EOR, the Contractor is the only one capable of modifying its design without shifting associated liability to the District.

D. For the above-stated reasons, the District did not conduct a market survey.

CERTIFICATION BY CHIEF ENGINEER

I hereby certify that the above findings are correct and complete to the best of my knowledge and belief.

Date

Dawit Muluneh, P.E.
Chief Engineer, DDOT

CERTIFICATION BY AGENCY HEAD

I hereby certify that the above findings are true, correct and complete to the best of my knowledge and belief.

Date

Everett Lott
Deputy Director, DDOT

CERTIFICATION BY CONTRACT SPECIALIST

I hereby certify that the above findings are correct and complete to the best of my knowledge and belief.

Date

Jeralyn Johnson
Contract Specialist
Office of Contracting & Procurement (“OCP”)

CERTIFICATION BY CONTRACTING OFFICER AND RECOMMENDATION

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract for the class was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code § 2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

William E. Sharp, Jr.
Contracting Officer, OCP

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code §§ 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

George A. Schutter, III
Chief Procurement Officer